

MESSAGE NO: 8207205 MESSAGE DATE: 07/25/2008

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-203

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2007 TO 01/31/2008

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR THE RESCISSION OF HEAVY FORGED HAND
TOOLS, PICKS/MATTOCKS, FROM CHINA A-570-203-000 INCLUDING TRUPER
HERRAMIENTAS S.A.

MESSAGE NO: 8207205

DATE: 07 25 2008

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 570 - 203

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PERIOD COVERED: 02 01 2007 TO 01 31 2008

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR THE RESCISSION OF HEAVY
FORGED HAND TOOLS, PICKS/MATTOCKS, FROM CHINA
A-570-203-000 INCLUDING TRUPER HERRAMIENTAS S.A.

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON
HEAVY FORGED HAND TOOLS (PICKS/MATTOCKS) FROM THE PEOPLE'S
REPUBLIC OF CHINA A-570-203-000, COVERING THE PERIOD 02/01/2007
THROUGH 01/31/2008, HAS BEEN RESCINDED FOR THE FIRMS LISTED
BELOW. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS MERCHANDISE
ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE

PERIOD 02/01/2007 THROUGH 01/31/2008 AT THE CASH DEPOSIT OR

BONDING RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRMS:

PRC-WIDE ENTITY

A- 570-203-000

TRUPER HERRAMIENTAS S.A. DE C.V.

A-570-203-000

THERE IS NO TEN-DIGIT NUMBER FOR TRUPER HERRAMIENTAS S.A. DE C.V. BECAUSE IT IS THIRD-COUNTRY RESELLER FROM MEXICO AND THIS COMPANY HAS YET TO RECEIVE A CALCULATED RATE IN ANY PRIOR SEGMENT. THEREFORE, ANY ENTRIES FROM THIS COMPANY MAY HAVE ENTERED UNDER CASE NUMBER A-570-203-000.

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED ABOVE OCCURRED WITH THE PUBLICATION OF THE NOTICE OF THE RESCISSION OF THE ADMINISTRATIVE REVIEW (73 FR 31434 DATED 06/02/2008). FOR ALL OTHER SHIPMENTS OF HEAVY FORGED HAND TOOLS FROM THE PEOPLE'S REPUBLIC OF CHINA YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAYS INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDER PAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER

TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9:AV).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party